

**PURPOSE:**

Periodically review Board of Selectmen executive session minutes to determine whether continued non-disclosure is warranted.

**POLICY:**

The Board of Selectmen will review their executive session public records on an annual basis to determine whether continued non-disclosure is warranted, and such determination must be included in the minutes of the Board's next meeting. The Board must respond to a request to inspect executive session records within 10 days of the request and promptly release the records if they are subject to disclosure. If the Board has not performed a review to determine whether they are subject to disclosure, it must do so prior to its next meeting or within 30 days, whichever is sooner.

**APPLICABILITY**

Public bodies are not required to disclose the minutes, notes or other materials used in executive session where the disclosure of these records may defeat the lawful purpose of the executive session. Once disclosure would no longer defeat the lawful purposes of the executive session, however, minutes and other records from that executive session must be disclosed unless exempted. Public bodies are required to periodically review their executive session minutes to determine whether continued non-disclosure is warranted.

**IMPLEMENTATION PROCEDURE:**

1. The Board shall review all executive session records to determine if public non-disclosure is still warranted at its first meeting of the fiscal year.
2. The Board shall release any executive session record that is subject to disclosure at its second meeting of the fiscal year or within 30 days, whichever is sooner.
3. The released records shall be forwarded to the Town Clerk for public filing and review within 10 days of their release.

**DEFINITION**

As defined in M.G.L., Chapter 4, Section 7, Clause 26 "Public records" shall mean all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency, executive office, department, board, commission, bureau, division or authority of the commonwealth, or of any political subdivision thereof, or of any authority established by the general court to serve a public purpose, unless such materials or data fall within the allowed exemption.

**Administrative  
Policy and  
Procedure**

**Board of Selectmen  
EXECUTIVE SESSION RECORD DISCLOSURE  
Approved June 19, 2012**

**REGULATORY / STATUTORY REFERENCES:**

This policy is subject to the requirements set forth in M.G.L., Chapter 4, § 7, cl 26.

This policy is subject to the requirements set forth in M.G.L., Chapter 30A, § 21.

**APPROVED BY:**

*Board of Selectmen, Chair:* Ken Picard \_\_\_\_\_

*Board of Selectmen:* Jim Brochu \_\_\_\_\_

*Board of Selectmen:* Robert Fleming \_\_\_\_\_

**Original date:** ..... July 24, 2012

**Revised dates:** .....